

The Complaint Process

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BOARD OF COSMETOLOGY

Complaint Steps

Complaint Received

File Opened

Letter sent to notify person making the complaint that it has been received

Board determines if complaint is within its jurisdiction

If the Board has jurisdiction, the complaint is prioritized, based on threats to health & safety, and available resources. The salon/person complained about has the chance to respond to the complaint. When the investigation is complete, the Complaint Committee reviews the investigation

If complaint is not within Board's jurisdiction, the file is referred to Complaint Committee for dismissal

Complaint Committee Reviews Case

Insufficient/No Evidence of Violation: Complaint Dismissed

Violation Found: Penalties Determined

Settlement Agreement signed by Subject of Complaint; Discipline Applied

Case referred to an Administrative Law Judge for hearing. Judge determines if evidence establishes whether or not a violation of a law or rule happened

If judge finds that violations happened, the full Board orders disciplinary action

Making a Complaint About an **Individual/Business:**

Complete the complaint form (available on the Board's website)

Important: If the authorization to release information is not signed, your complaint will likely be dismissed without investigation

Responding to a Complaint Against **You/Your Business**

During the investigation, you (subject of the complaint) will be informed in writing of the allegations against you or your salon. You must respond. Explain whether you agree or disagree with the complaint, and provide any evidence that supports your position (documents, receipts, photographs, unusual circumstances, etc.)

Minnesota Board of Cosmetologist Examiners Complaint Investigation

The Board investigates complaints about violations of the laws and rules related to cosmetology (MN Stat.. Ch. 155A and MN Rules 2105 and 2110). Some matters, such as poor business practices, bad haircuts, illegal labor practices, etc., do not come under the Board's authority

It is important to submit as much information as possible. What you present should give the Committee the whole story. Consider the following when deciding what you will submit to the Committee:

- Who was involved with the alleged violation
- What happened or did not happen
- Where did it happen

- Why did it happen
- What else should the Complaint Committee know

The provisions contained in the Minnesota Government Data Practices Act, MN Statutes §13.41 (2017), prohibit the Board from disclosing any information regarding an open complaint. Investigations include information from:

- The person who made the complaint
- The person/business the complaint is made about
- Board records
- Other sources, such as witnesses

Complaint Committee

3 Board members and Board staff meet approximately 4 times a year to review complaint investigations. After reviewing the complaint investigation, the Committee may decide:

- There is not enough evidence to determine if a violation happened; complaint dismissed.
- The evidence shows that a violation did not happen; complaint dismissed.
- The evidence shows that a violation did happen; disciplinary action is determined:
 - a. Civil Penalty: Fine of up to \$2,000 per violation
 - b. Cease and Desist Order: order to immediately stop violation
 - c. Other Actions: deny, refuse to renew, suspend, temporarily suspend, or revoke an application, license or certificate; censure or reprimand the person; or condition/limit the person's practice; or any other actions described in MN Statute 155A.

Disciplinary action is public information and is posted on the Board website, under "Board Disciplinary Action"